



DISTRICT OF COLUMBIA PUBLIC SCHOOLS

Office of the Chancellor

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Testimony of Dr. Richard Nyankori, Deputy Chancellor of Special Education

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Special Education and Inclusion in DCPS: Our Pledge

Good afternoon, Chairman Gray and honorable members of the DC Council. Thank you for inviting me to speak with you today about special education in DCPS and more specifically about inclusion. Chairman Gray, you and I recently gave opening remarks to kick off National Inclusive Schools Week last week. I think your opening statement during the kick-off event bears repeating for others; it provides focus for my testimony and puts us squarely on notice on why we must end the pervasive practice of segregating students with disabilities in this city and develop ways to include them fully in all aspects of life.

You began your remarks by saying: “I have been working on this issue for the past 30 years. When we talk about the need for inclusion I feel like I am looking back 30 years and meeting myself again. Why, after over 30 years, are we still talking about inclusion instead of seeing it happening?” Your words captured exactly how I felt at the kickoff. Looking back 15 years to my early career as a special education teacher in Baltimore City, I was meeting myself all over again too and wondering why inclusion has not taken root here.

The data are startling, but we know that. According to The Office of Special Education Programs (OSEP)¹, the District of Columbia ranks second to last in terms of the amount of time that disabled students spend with from their non-disabled peers. The District of Columbia has the highest percentage of students with disabilities attending separate schools. Most are familiar with the class action lawsuits filed against DCPS, and it is widely recognized that special education costs in the District surpass that of other like systems.

Inclusion and integration are no panaceas. However, they are necessary prerequisites to ending the cycle of poor special education practices and replacing them with better ones. The consequences of these statistics test not only our educational system, but also our juvenile justice, human services and business sectors.

During the past year and a half, my work as Special Assistant to the Chancellor, and now as Deputy Chancellor of Special Education, has provided me keen insight into how we got to this point, but moreover what we need to do in order to move forward. I have worked in both segregated classrooms and inclusive ones and I know firsthand how to design this school system up for inclusion. More importantly, I know the success that students with disabilities can achieve when they have access to excellent teaching, high expectations and community support.

The tenets of inclusion even for the most open-minded people are sometimes difficult. At times, they challenge my beliefs. What does inclusion mean for Alex and his family to trust that Alex will be a valued member of his class where he is the only student with a cognitive disability? Likewise, what does it mean when Erica, Alex's non-disabled classmate, complains to her mother that Alex is slowing her class down? Can we have students with emotional disturbances learn alongside their peers without sacrificing precious class time? Do our facilities provide medically fragile students with the opportunities to be in their neighborhood schools? Won't my child, whether disabled or not, turn away from school and learning?

The one thing I know for sure is that we cannot confuse the complexity of the job that these questions raise, with our ability to do it.

¹ Data based on the December 1, 2007 count, U.S. Department of Education, Office of Special Education Programs

We have to commit to a new and viable trajectory for special education that places inclusion at the forefront of our efforts over the next five years. This trajectory must involve making sure that we abandon the comfort of costly and ineffective segregation-minded practices and replace them with inclusive ones.

Our Pledge

In listening to you in this chamber, listening to community members, listening to advocates, listening to students, listening to the unhappy and to the elated members of the community; we will approach moving toward a better system, a more inclusive system by doing the following:

- Building parent and community trust;
- Building capacity; and
- Proving that we are responsible for managing our costs.

Building Parent and Community Trust

- The Individualized Education Plan (IEP) outlines the special education needs of a student and how those needs will be accommodated. We have begun to re-work the process of the IEP so that it serves as a contract between the school and family that inspires excellence, inclusion and achievement. Equally important, we are ensuring that staff follow through on the plan to make sure it is faithfully implemented.
- We have developed a set of Expectations for Schools so community members know what they can expect from us. Principals will be held accountable for communicating these expectations with families as part of their community and family engagement plans. We will also post these expectations on our website.
- I have set up a critical response team in the office of Special Education to resolve problems quickly and free up staff to focus on programs. Anyone can reach this team by calling the Office of the Chancellor with their concern, or by logging onto our website and sending a message to “Ask the Chancellor.”

- I will continue to meet with parents in their homes, in my office and in cafés, anywhere I can in order to hear from individuals and groups about their thoughts on special education and dreams for their children.

Building Capacity

- I have restructured the Office of Special Education into functional teams and am creating a performance management culture that makes clear what staff is accountable for as opposed to who they are accountable to.
- I am rooting out inefficient systems and replacing them with technological solutions in a budding partnership with the Office of the Chief Technology Officer (OCTO).
- I will begin pushing central dollars and staffing down to the school level in the next fiscal year so that principals are in direct control of managing teachers and related services providers in their schools. I will use funds to incent inclusion and creativity.
- We have recruited top talent to assist with handling compliance issues, developing programs and improving related services to students.
- I have put more technology into the hands of school-based special education coordinators than any prior director.
- We will invest dollars in inclusion and divest in segregation. For example, we have launched 16 exemplary school pilots that favor inclusion and a number of principals and local school restructuring teams have launched their own inclusion programs.

Proving We Can Manage our Costs

- Years of “deferred maintenance” have caused our students, teachers and related service providers to go without the tools they need to do their jobs. For years some of our teachers have been making lemonade out of lemons. Teachers have been scraping together resources to do their jobs. Despite the lack of resources, the vast majority of our teachers and related service providers are working hard every day to meet students’ needs.

- I have begun an analysis of my budget to determine the ways to increase the investment in program development and get intervention materials into the hands of teachers.
- The more I am out meeting with our special educators the more I am convinced that the vast majority of them can expand their already good programs into excellent ones. We have to debunk the myth that DCPS cannot have good programs. We can and we do. We could have more programs, but our funds are spent fighting off frivolous lawsuits and those who are hell-bent on segregating our students at a high price tag.
- I have hired a top-notch staff trained in some of the finest business, policy, and education schools, to ensure fiscal discipline, smart operations and outstanding programs.
- I have already taken steps to ensure that my staff is protecting the system from Medicaid disallowances by using an electronic system directly linked to student IEPs, holding providers accountable for entering data, and strategizing to determine ways to bring in more dollars.

How to Hold Us Accountable

There are many ways to hold DCPS accountable. Here are a few:

- Look at the number of students served in the least restrictive environment over time.
- Verify that IEP meetings are becoming more successful through the phone surveys, audits and interviews with families and advocates that we conduct.
- See that we are reducing our reliance on non-public schools and that we have expanded our own programs over time.
- Look for substantial progress in our special education litigation, most notably *Blackman/Jones* and *Petties*. We are grateful for the support of Attorney General Peter Nickles and the Office of the Attorney General for their continued support in this effort.
- See that more students (non-disabled and disabled) are getting robust academic interventions as soon as they can, and as fast as we can so that referrals are not necessary.

- See that as we progress, more of our very young students are getting screened for possible disabilities at a greater rate than ever before so that we can help them more quickly than we ever have before.

Collaborative Reform

As I mentioned earlier, we cannot confuse the complexity of the job before us with our ability to do it. I have assembled a talented staff to assist me and the chancellor in doing just that. Under Mayor Fenty's approach to education reform, we are grateful for the hard work of the multiple agencies that have been working tirelessly to execute this reform, including the Office of the State Superintendent of Education (OSSE), the Office of the Deputy Mayor for Education (DME), the Office of the Attorney General (OAG), the Office of the City Administrator (OCA), the Office of the Chief Financial Officer (OCFO) and the Department of Mental Health (DMH).

Thank you for your support and your work to meet the challenges of special education reform in DCPS. I look forward to our conversation.